

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Wilhelm BERKULIN et al

Serial No.: 09/986,116

Filing Date: November 7, 2001

PROCESS FOR PREPARING DRY EXTRACTS



RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION UNDER 37 C.F.R. §1.53(b)

Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Attention: APPLICATION BRANCH
MISSING PARTS OF APPLICATION

Sir:

With respect to the above-identified patent application, the following are filed herewith in response to the Notice to File Missing Parts of Nonprovisional Application under 37 C.F.R. §1.53(b), mailed January 17, 2002, copy attached.

X Declaration in compliance with 37 C.F.R. §1.63.

X English Translation of the specification.

X Preliminary Amendment.

— Certified copy of ** Application No. **, filed **, the priority of which is claimed under 35 U.S.C. §119.

X If a Petition for Extension of time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge and fees necessary under 37 CFR 1.17 (a) - (d) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358.

Serial No.: 09/986,116

X Filing Fee, calculated as follows:

| | <u>Small Entity</u> | <u>Large Entity</u> | |
|---------------------------------------|---------------------|---------------------|------------------------------|
| Basic Filing Fee | \$370.00 | \$740.00 | 740.00 |
| Total Claims <u>7</u> - 20 = <u>0</u> | (x \$9) = | (x \$18) = | .00 |
| Indep. Claims <u>1</u> - 3 = <u>0</u> | (x \$42) = | (x \$84) = | .00 |
| <u>X</u> Surcharge: Late Filing | + \$65 | + \$130 | 130.00 |
| Fee for English Translation | | | 130.00 |
| | | | <hr/> |
| | | | TOTAL FILING FEES \$ 1000.00 |

Check No. 57336, in the amount of \$1000.00, is enclosed to cover the filing fee, late filing surcharge and fee for filing English translation. The Commissioner is hereby authorized to debit or credit any fees set forth in §1.16 or §1.17 to Deposit Account No. 06-1358 as needed in order to effect proper filing of the application. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By William E. Player
William E. Player
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Atty. Docket No.: P67287US0
Date: March 18, 2002
WEP:jrc

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/986,116 | 11/07/2001 | Wilhelm Berkulin | P67287US0 |

CONFIRMATION NO. 4674

FORMALITIES LETTER



OC000000007320610

JACOBSON HOLMAN
400 SEVENTH STREET, N.W.
WASHINGTON, DC 20004

Date Mailed: 01/17/2002



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- The balance due by applicant is \$ 1000.

*A copy of this notice **MUST** be returned with the reply.*

COPY

740.00 OP
130.00 OP
130.00 OP

03/20/2002 SFELEX1 00000117 09986116

01 FC:101
02 FC:139
03 FC:105

Thaine
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE